

Affidavit in support of the plaintiffs motion for the appointment of Counsel.

Trina Nicole Carollo, being duly sworn, deposes and says:

1. I am the plaintiff in the case 1:04-cv-180. I make this affidavit in support of my motion for the appointment of Counsel.
2. The complaint in this case alleges that the plaintiff was subjected to misuse of force by several correctional officers, some of whom actively beat and kicked ~~her~~ her and others whom watched and failed to intervene. It alleges that supervisory officials were aware of the violent propensities of some of the officers and

are liable for failing to take action to control them. denied medical treatment and denied adequate food by several defendants.

3. This is a complex case because it contains several different legal claims, with each claim involving a different set of defendants.

4. The case involves medical issues that may require expert testimony.

5. The Plaintiff has demanded a jury trial

6. The case will require discovery of documents and depositions of a number of witnesses.

7. The testimony will be in sharp conflict, since the Plaintiff alleges that the defendants assaulted her, while the defendants in their disciplinary reports asserted that she assaulted them.

8. The Plaintiff has only a high school education and has no legal education.

a. As set forth in the Memorandum of law submitted with this motion, these facts, along with the legal merit of the Plaintiff's claims, support the appointments of counsel to represent the Plaintiff.

Wherefore the Plaintiff's motion for the appointment of counsel should be granted.

Sworn to before me this

28th day of October 2004

Janaire M. Malloy
Notary Public

~~X~~ Trina Carallo

JANAIRE M. MALLOY
Notary Public, State of New York
Qual. in Westchester Co. No. 01MA6112566
Commission Expires 7-6-20 08